

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	
)	Case No. 1:23-cr-029-4
v.)	
)	Judge Travis R. McDonough
)	
ERNEST WYNN)	Magistrate Judge Susan K. Lee
)	

ORDER

Magistrate Judge Susan K. Lee filed a report and recommendation recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea as to Count Two of the three-count Second Superseding Indictment; (2) accept Defendant's guilty plea as to Count Two; (3) adjudicate the Defendant guilty of Count Two; (4) defer a decision on whether to accept the plea agreement (Doc. 82) until sentencing; and (5) Defendant will remain on bond under appropriate conditions of release pending sentencing in this matter. (Doc. 100.) Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Lee's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 100) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea as to Count Two of the Second Superseding Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count Two is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of Count Two;

4. A decision on whether to accept the plea agreement (Doc. 82) is **DEFERRED** until sentencing; and
5. Defendant **SHALL REMAIN** on bond pending sentencing in this matter which is scheduled to take place on **October 18, 2024 at 9:00 a.m. [EASTERN]** before the undersigned.

SO ORDERED.

/s/Travis R. McDonough
TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE